MYSORE ACT No. I OF 1885.

THE YELANDUR JAHGIR ACT, 1885.

(PASSED ON THE 23RD DAY OF MAY 1885.)

WHEREAS, by a Sannad granted by His Highness the Maharaja of Mysore under date the 27th December 1807, the Taluk of Yelandur was granted as Jahgir to the late Dewan Purnaiya and his heirs and successors, in perpetuity, as a reward for the meritorious services rendered by the said Dewan Purnaiya, and in order that his descendants may live in perpetual ease and comfort:

And whereas, with the object of carrying out the purposes of such grant, the Government of Mysore did, at various times, pass orders with the view to regulate the succession to, and define the mode of enjoyment of, the said Jahgir of Yelandur:

And whereas doubts have arisen as to the validity of some of the orders of Government in regard to the said Jahgir, and it is deemed expedient to remove such doubts and to make adequate provision for the maintenance of the dignity of the head of the family of the said Dewan Purnaiya and for the support of the subordinate members thereof: His Higness the Maharaja is pleased to enact as follows :—

1. This Act may be called "The Yelandur Jahgir Act, 1885".

And it shall come into force upon the passing thereof.

2. (1) The Jahgir of Yelandur, as constituted by the Sannad granted by His Highness Krishnaraja Wodeyar, the Maharaja of Mysore, to the said Dewan Purnaiya, dated the 27th December 1807, and consisting of the villages enumerated in the Schedule A appended to this Act, shall be inalienable and impartible; and it shall not be competent for the Jahgirdar of Yelandur for the time being to encumber, charge, or in any manner alienate the said Jahgir or any part thereof by act *inter vivos* or by testamentary disposition.

(2) The family of the said Dewan Purnaiya shall, for the purposes of this Act, comprise and include the existing members named and enumerated in the order of their respective seniority under five branches in Schedule B

appended to this Act, and their lineal descendants whether by blood or adoption according to the rules and usages of the Hindu Law ; also any other legal heirs, male or female, of the said lineal descendants in the ascending, descending or collateral lines.

(3) Subject to the other provisions of this Act, the said Jahgir of Yelandur and the full proprietary rights therein shall vest in, and be held and enjoyed by, one person only at a time who shall be called "The Jahgirdar of Yelandur" and to whom all other members of the family of the said Dewan Purnaiya shall be subordinate. Purnaiya Narasinga Rao Krishna Murthi being the eldest male person for the time being descended from the said Dewan Purnaiya in the senior male line is hereby declared to be the present Jahgirdar of Yelandur.

(4) The succession to the said Jahgir shall, except in so far as is in this Act, otherwise provided, be regulated by the rules and usages of the Hindu Law of Inheritance and Adoption.

The succession to the said Jahgir shall devolve upon the lineal descendants and other legal heirs of the family of the said Dewan Purnaiya as above defined :

Provided that the lineal descendants and other legal heirs of the persons named and enumerated in the first branch in the aforesaid Schedule B, shall be preferred to, and shall be entitled to succeed before, the lineal descendants and other legal heirs of the persons named and enumerated in the second and every other branch in the Schedule B aforesaid ; and on failure of the lineal descendants and other legal heirs of the persons named and enumerated in the first branch, the lineal descendants and other legal heirs of the persons named and enumerated in the second and every other branch shall be entitled to succeed according to the order of the branches in the Schedule B aforesaid, successively one branch after the other, the lineal descendants and other legal heirs of any one branch to be preferred to, and to be entitled to succeed before, the lineal descendants and other legal heirs of the branch next to it, and so on in the order specified in the aforesaid Schedule B :

Provided further that as between the lineal descendants and other legal heirs in any branch aforesaid, the said Jahgir and the full proprietory rights therein shall,

notwithstanding any rule or custom of Hindu or other law to the contrary, vest in the person who may be :—

Firstly.—So long as there are male descendants in any male line in the aforesaid branch, the eldest male person to any degree of descent of that line which shall be for the time being senior of all the collateral lines.

Secondly.—On the failure of such male descendants in any male line within that branch, the eldest female legal heir for the time being or the eldest surviving female descendant, or her eldest male descendants, as the case may be, entitled to inherit under Hindu Law and usage, of the last male descendant in the male line in whom the said Jaghir shall have been vested :

Provided further that on failure of such male descendants, female legal heirs, and female descendants, and their descendants, of the first and every other branch successively specified in the Schedule B aforesaid, the said Jahgir and the full proprietary rights therein shall vest in and be held and enjoyed by the eldest and the most proximate descendant, or legal heir of the said Dewan Purnaiya who may be then living, male being preferred to female, and by his or her descendants and other legal heirs.

(5) When there is a natural lineal descendant of the said Dewan Purnaiya eligible and available for adoption in accordance with Hindu Law and usage, the adoption of any other person shall not be valid for the purpose of succession to the Jahgir.

3. (1) Out of the revenues of the Jahgir of Yelandur, the sum of Rs. 23,200 shall be distributed by the Jahgirdar for the time being among himself and the otherdescendants of the said Dewan Purnaiya in the various branches of descent by way of annuities as specified hereunder :—

		Rs.
1st Branch.—		
1	P. N. Krishna Murti, eldest son of the late Narasinga Rao	6,000
2	P. N. Purnaiya, 2nd son of the late Narasinga Rao	10,000
	Total for 1st Branch ...	16,000
2nd Branch.—		
1.	Krishna Murti, son, adopted by Rukmini Bayi, widow of the late Vithal Murti ...	1,200

3rd Branch.—

1.	Jaya Narasinga Rao, son, adopted by Bhagirati Bayi, widow of the late Anantaramappa.	1,200

4th Branch.—

1.	Rama Rao, son, adopted by Venkamma, widow of the late Subba Rao	1,200

5th Branch.—

1.	Narasamma, daughter of Dattu Rama Rao ...	3,600
		23,200

The remainder of the revenue of the said Jahgir, after payment of annuities above specified, shall be at the absolute disposal of the Jahgirdar of Yelandur for the time being:

Provided that the annuity to Rama Rao, adopted son of Venkamma, shall not become payable till after the death of the said Venkamma, and that the annuity payable to Krishna Murti, adopted son of Rukmini Bayi, shall not become payable till after the death of the said Rukmini Bayi, the said Venkamma and Rukmini Bayi continuing, during their lifetimes, to receive annuities of Rs. 7,000 and Rs. 300, respectively.

(2) The annuities payable under the first para of this section shall not be alienable by sale, gift, charge, will or otherwise, but shall be subject to the rules and usage of the Hindu Law of Succession and Partition: Provided that when there is a natural lineal descendant of the said Dewan Purnaiya eligible and available for adoption in accordance with the Hindu Law and usage, the adoption of any other person shall not be valid for the purpose of succession to the whole or part of any annuity referred to in this section.

4. Upon the failure of heirs within any branch of the family specified in Schedule B aforesaid, one-half of the annuity for that branch shall be at the disposal of the Jahgirdar of Yelandur for the time being, and the other half shall be distributed rateably among the remaining branches in the proportion of the amounts of annuities specified for such branches in schedule B aforesaid, the amount thus distributable to each branch being further distributed among the members of that branch according to their shares under Hindu Law and usage.

5. (1) No Civil Court shall entertain any suit relating to any interest in the Jahgir of Yelandur, or to the whole or part of any annuity payable under this Act.

(2) Any person having a claim to the said Jahgir of Yelandur may prefer such claim to the Government of Mysore, which shall enquire into such claim and pass its decision thereon in accordance with this Act.

(3) Any person having a claim to the whole or part of an annuity payable under this Act may prefer such claim to the Jahgirdar of Yelandur for the time being, who shall enquire into such claim and pass his decision thereon in accordance with this Act. From any such decision passed by the Jahgirdar of Yelandur, an appeal shall lie to the Government of Mysore, whose orders upon such appeal shall be final.

6. (1) If, in the investigation of any claim referred to in the last preceding section, there arises any question on which the Government of Mysore desires to have the opinion of the High Court of Mysore, the Government may cause a statement of the question to be prepared and may refer such question for the opinion of the High Court.

(2) The High court shall fix an early day for the hearing of the question referred, and cause notice of such day to be placed in the Court house.

(3) The parties to the case may appear and be heard in the High Court in person or by their Advocates or Pleaders.

(4) The High Court, when it has heard and considered the case, shall send a copy of its opinion with the reasons therefor under the seal of the Court to the Government, and the case shall be disposed of conformably to such opinion.

(5) The High Court, if it considers that any such statement is imperfectly framed, may return it for amendment.

(6) The costs, if any, consequent on such reference shall be dealt with as the High Court in each case recommends.

7. The Jahgir of Yelandur and the revenues thereof and the annuities payable under this Act shall not be liable to seizure or attachment by process of any Civil Court.

8. The Government of Mysore may, from time to time, frame such rules as may be necessary for the purpose of appointing the time, place and mode of the payment of

the annuities referred to in section 3, and for the purpose of enforcing the payment of such annuities and the orders passed under section 5. Such rules shall not be inconsistent with this Act, shall be published in the Official Gazette and shall have the force of law.

SCHEDULE A REFERRED TO IN PARA (2), SECTION 2.

Kasba Yelandur and its Dakhale Villages...	6 Villages.
Ambale	6 Villages.
Yergamballi	9 Villages.
Yeriyur Kestur	5 Villages.
Agara	9 Villages.
Maddur	11 Villages.

SCHEDULE B REFERRED TO IN PARA (2), SECTION 2.

1st Branch :—

1. Purnaiya Narasinga Rao Krishna Murti, eldest son of the late Narasinga Rao.
2. Purnaiya Narasinga Rao Purnaiya, 2nd son of the late Narasinga Rao

2nd Branch :—

1. Krishna Murti, son adopted by Rukmini Bayi, widow of the late Vithal Murti.

3rd Branch :—

I. Jaya Narasinga Rao, son adopted by Bhagirati Bayi, widow of the late Anantaramappa.

4th Branch :—

1. Rama Rao, son adopted by Venkamma, widow of the late Subba Rao.

5th Branch :—

1. Narasamma, daughter of Dattu Rama Rao.